

The Procter & Gamble Company v. Ultreco, Inc.
Preliminary Injunction Hearing
07-Civ-8379 (RJS)

Exhibit No.	Description
DX-1	University of Washington US Patent No. 7,296,318 B2, dated November 20, 2007
DX-2	Ultreco, Inc. US Patent No. 7,296,318 B2, dated September 18, 2007
DX-3	Toothbrush IHUT Presentation, dated June 2007
DX-4	Email from Susan Mboya to Paul Warren regarding New Power Brush: Ultreco Competitive Update, dated February 13, 2007 (PG006813-PG006816)
DX-5	P&G News Release, "P&G Files Lawsuit Against Toothbrush Maker Ultreco, Inc.," dated September 27, 2007
DX-6	P&G 2007 Annual Report (excerpts)
DX-7	Chart: Selected Ultreco Advertising Claims Referenced in the Body of P&G's Memorandum of Law
DX-8	<i>Frontgate</i> Ultreco advertisement, "The First Toothbrush with Patented Ultrasound Waveguide Technology," Holiday 2007
DX-9	Ultreco advertisement (consumers)
DX-10	P&G website advertisement for Scope® Original Mint Mouthwash
DX-11	P&G website advertisement for Scope® Cool Peppermint Mouthwash
DX-12	P&G website advertisement for Crest® toothpaste products
DX-13	Ultreco advertisement (dental professionals)
DX-14	Philips Sonicare® "Beyond the Bristles" pamphlet for Sonicare FlexCare and UV Sanitizer

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DX-15	Philips Sonicare® "Sonic Technology" website page
DX-16	Philips Sonicare® "Benefits" website page
DX-17	Philips Sonicare® "Why Dispense Sonicare?" website page
DX-18	Philips Sonicare® "Superior Technology" website page
DX-19	Philips Sonicare® laboratory abstract: Effect of the Sonicare FlexCare power toothbrush on fluoride delivery through <i>Streptococcus mutans</i> biofilms
DX-20	Philips Sonicare® laboratory abstract: Comparison of the interproximal plaque removal efficacy of two powered toothbrushes using in vitro oral biofilms
DX-21	Philips Sonicare® laboratory abstract: In vitro evaluation of interproximal biofilm removal with power toothbrushes
DX-22	P&G website advertisement for Crest® ProHealth Rinse
DX-23	P&G website advertisement for Vicks® Early Defense Foaming Hand Sanitizer
DX-24	P&G website advertisement for Crest® Extra White Plus Scope Toothpaste
DX-25	P&G website advertisement for Puffs® Plus Tissues
DX-26	P&G packaging for Mr. Clean® Magic Eraser
DX-27	P&G website advertisement for Oral-B® Triumph power toothbrush
DX-28	P&G website advertisement for Oral-B® Triumph power toothbrush
DX-29	P&G website advertisement for Oral-B® Hummingbird® power flosser
DX-30	Ultreο clinical study abstract: Efficacy of Ultreο in Dental Plaque Removal
DX-31	Ultreο clinical study abstract: Efficacy and Safety of Ultreο in a Population with Mild to Moderate Gingivitis
DX-32	Ultreο clinical study abstract: Assessing the Ability of Ultreο to Remove Extrinsic Surface Stain from the Teeth

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DX-33	P&G Informed Consent To Participate In A Clinical Research Study, dated July 18, 2007 (PG001476-PG001478)
DX-34	Ultreo Claim Substantiation Document - Cycles of Ultrasound Energy Generated by the Ultreo
DX-35	Ultreo/University of Washington laboratory study abstract: Evaluation of Ultrasound as a Means to Remove <i>Streptococcus mutans</i> (The "UW Study")
DX-36	Aspiras, M, Elliott, N, Nelson, R, et al. In vitro evaluation of interproximal biofilm removal with power toothbrushes. <i>Review of Key Clinical Research on the New Philips Sonicare FlexCare: A Supplement to Compendium of Continuing Education in Dentistry</i> 2007;28: 10-14, dated September 2007
DX-37	October 2004 IntelliClean Compendium: A Supplement To Compendium Of Continuing Education In Dentistry: Review Of Clinical Research On The IntelliClean System® From Sonicare And Crest," dated October 2004 (PG007055-PG007104)
DX-38	Adams, H, Winston, WT, Heersink, J, et al. Development of a laboratory model to assess the removal of biofilm from interproximal spaces by powered tooth brushing. [Published correction appears in <i>Am. J. Dent.</i> 2002;15-46]. <i>Am. J. Dent.</i> 2002;15 (spec. no.): 12B-17B, dated November 2002
DX-39	Yuen, AF, Nelson, R, Johnson, MR, et al. In vitro evaluation of the efficacy and safety of the IntelliClean System: interproximal biofilm removal and dentin substrate wear. <i>Compend. Contin. Educ. Dent.</i> 2004;25 (suppl. 1):44-50, dated October 2004
DX-40	Hope, CK, Petrie, A, Wilson, M. In vitro assessment of the plaque-removing ability of hydrodynamic shear forces produced beyond the bristles by 2 electric toothbrushes. <i>J. Periodontol.</i> 2003;74:1017-22, dated July 2003
DX-41	Hope, CK, Wilson, M. Comparison of the interproximal plaque removal efficacy of two powered toothbrushes using in vitro oral biofilms. <i>Am. J. Dent.</i> 2002; 15 (spec no): 7B-11B, dated November 2002
DX-42	<i>Bacteria</i> . MSN Encarta: http://encarta.msn.com/text_761574409_0/Bacteria.html , dated November 27, 2007

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DX-43	Wu-Yuan, C, McInnes, C. Ability of the Sonicare® electronic toothbrush to generate dynamic fluid activity that removes bacteria. <i>J. Clin. Dent.</i> 1994;5 89-93
DX-44	Bergdahl, M. Salivary flow and oral complaints in adult dental patients. <i>Community Dent Oral Epidemiol</i> 2000;28: 59-66, dated 2000
DX-45	Ultreο laboratory study abstract: Toothbrush-Induced In Vitro Wear of Class V Restorative Materials
DX-46	Ultreο clinical study abstract: Evaluation of Orthodontic Bracket and Crown Retention after Extended Brushing
DX-47	Ultreο laboratory study abstract: Evaluation of the Safety of Sonic and Ultrasonic Processes
DX-48	P&G laboratory study document, dated September 12, 2007 (PG000672-PG000681)
DX-49	P&G laboratory study document, dated September 12, 2007 (PG000248)
DX-50	P&G brushing instructions (PG001486)
DX-51	Curriculum Vitae of Dr. James Christopher McInnes, dated November 2007
DX-52	Claim Substantiation Document – Ultreο microbubbles. (ULTREO_00030096-ULTREO_00030097)
DX-53	Claim Substantiation Document – Ultreο microbubbles (ULTREO_00016919-ULTREO_00016924)
DX-54	Philips Compendium: Review of Key Clinical Research on the New Philips Sonicare FlexCare; Compendium of Continuing Education in Dentistry 2007; Vol. 28, dated September 2007
DX-55	Philips Sonicare® "Sonic Technology" website page

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DX-56	Philips Sonicare® "Beyond the Bristles" pamphlet for Sonicare FlexCare and UV Sanitizer
DX-57	Philips Sonicare® "Sonic Technology" website page
DX-58	Philips Sonicare® "Benefits" website page
DX-59	Philips Sonicare® "Why Dispense Sonicare" website page
DX-60	Philips Sonicare® "Superior Technology" website page
DX-61	Summary of 41 studies conducted or sponsored by Oral-B
DX-62	Summary of 13 studies conducted or sponsored by Philips
DX-63	Curriculum Vitae of Dr. Joel Howard Berg
DX-64	Van Houte, J. Role of micro-organisms in caries etiology, <i>J. Dent. Res.</i> 1994; 73:672-91
DX-65	Stanford, C.M., et al., Removal of supragingival plaque in an intraoral model by use of the sonicare toothbrush, <i>J. Int. Acad. Periodontol.</i> , 2000 Oct; 2(4):115-9
DX-66	Warren, P., et al., A practice-based study of a power toothbrush: assessment of effectiveness and acceptance, <i>J. Am. Dent. Assoc.</i> (JADA) 2000;131:389-94 at 389
DX-67	Ernst, C., Clinical plaque removing efficacy of a new power toothbrush, <i>Am. J. Dent.</i> , 1998; 11 (Spec. No):S13-6 (PG000201-PG00202)
DX-68	Frascella, J.A., et al., A randomized clinical evaluation of the safety and efficacy of a novel oral irrigator, <i>Am. J. Dent.</i> 2000;13:55-58 (PG000436-000437)
DX-69	Oral-B website advertisement Oral-B® ProfessionalCare® 8000 Series
DX-70	Oral-B website advertisement for Oral-B® ProfessionalCare® Oxyjet® Center
DX-71	Curriculum Vitae of Dr. Lawrence A. Crum

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DX-72	Videos of ultrasound cleaning. These videos (Movies Nos. 1-3) are contained in a CD-rom
DX-73	Affidavit of Aaron Biesbrock in Support of Plaintiff's Motion for a Preliminary Injunction, dated October 10, 2007
DX-74	Philips Sonicare® website advertisement "Superior Technology"
DX-75	Philips Sonicare® study abstract: "Effect of the Sonicare FlexCare power toothbrush on fluoride delivery through Streptococcus mutans biofilm"
DX-76	Philips Sonicare® study abstract: "Comparison of the interproximal plaque removal efficacy of two powered toothbrushes using in vitro oral biofilms"
DX-77	Philips Sonicare® study abstract: "In vitro evaluation of interproximal biofilm removal with power toothbrushes"
DX-78	Ernst, CP, et al., Clinical plaque removing efficacy of a new power toothbrush, <i>Am J Dent</i> 1998;11 (PG000201-PG000202)
DX-79	P&G Guidelines for Developing Effective Advertising (PG000424-PG000425)
DX-80	Warren PR., et al., Safety, efficacy and acceptability of a new power toothbrush: a 3-month clinical investigation, <i>Am J Dent</i> 2001
DX-81	Sharma, N.C., Evaluation of the plaque removal efficacy of a novel power toothbrush: Oral-B Triumph
DX-82	Oral-B® website advertisement: Oral-B ProfessionalCare Oxyjet Center
DX-83	Frascella, J.A., Randomized Clinical Evaluation of the Safety and Efficacy of a Novel Oral Irrigator (PG000436-PG000437)
DX-84	P&G MD15 Clinical Studies Summaries (PG002592-PG002663)

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DX-85	Compendium: Review of Clinical Research on the IntelliClean System From Sonicare and Crest, dated October 2004 (PG002130-PG002179)
DX-86	P&G Laboratory Notebook: Ultreo Toothbrush Evaluation, Oral Care HB Notebook: HCS 5137 (PG001058-PG001134)
DX-87	Supplemental Loose-Leaf Laboratory Notebook Instruction Sheet, dated September 12, 2007 (PG001621-PG001661)
DX-88	A Study to Assess Plaque removal Efficacy of a Newly Marketed Ultrasonic Toothbrush, dated July 12, 2007 (PG001468-PG001475)
DX-89	Email from Bill Landrigan to Paul Warren regarding Ultreo, dated March 5, 2007 (PG006792-PG006794)
DX-90	P&G Informed Consent to Participate in a Clinical Research Study, dated July 18, 2007 (PG001476-PG001478)
DX-91	Brushing Instructions for the Dental Hygienist Performing the Brushing Leg of the Study (PG004057-PG004061)
DX-92	P&G "A Clinical Study Evaluating the Effects of a Sonic Toothbrush with an Ultrasound Waveguide in Disrupting Plaque with and without Bristle Contact" (with attached email dated October 17, 2007) (PG003238-3261)
DX-93	Letter from Aaron Biesbrock to Franklin Garcia-Godoy regarding revised manuscript, dated October 17, 2007 (PG000322)

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DX-94	Email from Franklin Garcia-Godoy to Aaron Biesbrock regarding acceptance of paper for publication in the <i>American Journal of Dentistry</i> , dated October 20, 2007 (PG000930-PG000954)
DX-95	Biesbrock, A. et al., A Clinical Study Evaluating the Effects of a Sonic Toothbrush with Ultrasound Waveguide in Disrupting Plaque with and without Bristle Contact (PG003033-PG003053)
DX-96	Email from Aaron Biesbrock to Lisa Sagel regarding Ultreco publication, dated September 20, 2007 (PG005127)
DX-97	Email from Paul Warren to Bill Toler regarding publication, dated October 17, 2007 (PG001847)
DX-98	Email regarding Toothbrush Study Invitation, dated September 19, 2007 (PG001188)
DX-99	Time Kill Study for Mouthrinse – Microbiology Final Report, dated May 10, 2004 through July 23, 2004 (PG002017-PG002044)
DX-100	2007063 Study Results (PG004358-PG004378)
DX-101	P&G Company, An Evaluation of a Prototype Hand Sanitizer for Residual Reduction of Bacteria on Hands, dated January 5, 2007 (PG003466-PG003500)
DX-102	Expert Report of Aaron Biesbrock, D.M.D., PhD. in Support of Plaintiff's Motion for a Preliminary Injunction, dated November 27, 2007
DX-103	Curriculum Vitae of Yoram (Jerry) Wind
DX-104	List of Materials Considered by Yoram (Jerry)Wind

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DX-105	Consumer Perception of Ultreco Advertising Claims, dated October 2007 (PG000001-PG000141)
DX-106	Ultreco advertisement, "The difference is Ultrasound" (PG000797)
DX-107	Email from Thomas Dupont to John B. Williams regarding estimate for Ultreco survey, dated September 18, 2007 (PG000808)
DX-108	Ultreco website page containing consumer comments
DX-109	Email from Angela Y. Powell to Tom Dupont regarding meeting to review questionnaire with John B. Williams and Julie Gibson, dated September 21, 2007 (PG000805)
DX-110	<i>Pharmacia Corporation v. Glaxosmithkline Consumer Healthcare, L.P.</i> , 292 F. Supp. 2d 594 (D.N.J. 2003)
DX-111	Ultreco Consumer Perception Survey (PG000789-791)
DX-112	Harris Interactive Service Bureau engagement letter, dated September 26, 2007 (PG000780-PG000788)
DX-113	Email from Thomas Dupont to John B. Williams regarding Ultreco, dated September 17, 2007 (PG000806-PG000807)
DX-114	Email from Thomas Dupont to Gayle Reznikov, dated October 1, 2007 (PG000826-PG000827)
DX-115	Email from Thomas Dupont to John B. Williams regarding Ultreco, dated October 3, 2007 (PG000834)

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DX-116	Email from Laura W. Sawyer to Thomas Dupont regarding attached draft declaration, dated October 9, 2007 (PG000846-PG000848)
DX-117	<i>Hilton Int'l co., Inc. v. Hilton Hotels Corp.</i> , 888 F. Supp. 520 (S.D.N.Y. 1995)
DX-118	<i>Novartis Consumer Health, Inc. v. Johnson & Johnson-Merck Consumer Pharmaceuticals Co.</i> , 129 F. Supp. 2d 351 (D.N.J. 2000)
DX-119	<i>Johnson & Johnson-Merck Consumer Pharmaceuticals Co. v. Smithkline Beecham Corp.</i> , 960 F.2d 294 (2d Cir. 1992)
DX-120	Curriculum Vitae of Mohan P. Rao, Ph.D.
DX-121	List of Materials Considered by Mohan P. Rao, Ph.D.
DX-122	Maximum Potential Lost Sales to P&G Based on Coulter-Renken Study
DX-123	Potential Lost Profits to P&G Based on Coulter-Renken Study
DX-124	Affidavit of Wayne Randall in Support of Plaintiff's Motion for a Preliminary Injunction
DX-125	United States Toothbrush Sales and Market Share Data. All Outlet Toothbrushes. Data Ending: September 2007 (PG004066-PG004086)
DX-126	United States Toothbrush Sales and Market Share Data, dated November 12, 2007 (PG002014-PG002016)
DX-127	United States Toothbrush Sales and Market Share Data (PG001692-PG001708)
DX-128	Reserved
DX-129	P&G Professional Oral Health Report on Ultreco: The Ultrasound Toothbrush (PG002317-PG002330)

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DX-130	P&G Crest® webpage advertisement
DX-131	P&G Puffs Plus® Tissue website advertisement
DX-132	P&G Mr. Clean® Magic Eraser packaging
DX-133	P&G advertisements for Vicks Early Defense® and Luvs® Ultra Leakguards
DX-134	Email from Susan Mboya to Marc Gibeley, dated February 13, 2007 (PG006814)
DX-135	Email from Amanda Clark to Amanda Heffernan and Bob Bartizek, dated July 11, 2007 (PG002993-PG002994)
DX-136	Philips FlexCare brochure advertisement
DX-137	Email from Tonia Elrod to Elizabeth Ming and Don Tassone regarding Ultreco Lawsuit Communication Materials, dated September 27, 2007 (PG005278-PG005280)
DX-138	Email from Carly Layton to Elizabeth Ming regarding Ultreco Blogging, dated May 21, 2007 (PG003706-PG003708)
DX-139	P&G White Paper: Introduction of Ultreco's "Ultra-Sonic" Product, dated February 16, 2006 (PG002229-PG002252)
DX-140	Snapshot of BASES Concept Test for Ultreco (PG006064-PG006069)
DX-141	NA Professional Oral Health Ultreco Competitive Overview and Response (PG002119-PG002128)
DX-142	Ipsos Understanding UnLtd. P&G Oral-B and Ultreco Power Brush Consumer Qualitative Summary, dated July 2007 (PG004222-PG004237)

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DX-143	Ultreο Competitive Analysis Report regarding the Competitive Impact of the Ultreο Power Brush at the Professional and Consumer Level, dated Summer 2007 (PG006927-PG006973)
DX-144	Aaron Biesbrock Deposition Minuscript, dated November 28, 2007
DX-145	Thomas Dupont Deposition Minuscript, dated November 14, 2007
DX-146	Wayne Randall Deposition Minuscript, dated November 27, 2007
DX-147	National Advertising Division of the Better Business Bureau decision regarding Sonex Corporation Case #3656 (5/01/00)
DX-148	National Advertising Division of the Better Business Bureau decision regarding The Optiva Corporation Case #3229/3230 (08/01/95)
DX-149	P&G website advertisement for Oral-B® Triumph
DX-150	P&G website advertisement for Oral-B® Triumph – FAQ
DX-151	P&G website advertisement for Oral-B® Triumph
DX-152	Defendant's Answer and Counterclaims, dated October 18, 2007
DX-153	Sonicare®/IntelliClean brochure (PG007032-PG007037)
DX-154	Robert J. Genco Deposition Minuscript, dated December 10, 2007
DX-155	Ultreο packaging